

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for May 28, 2003 PLANNING COMMISSION MEETING

P.A.S.: Special Permit 1869B
Knights Court CUP

PROPOSAL: Reduce certain side yard setback on Lots 11, 12, and 13, Block 1 from 8' to 5'.

LOCATION: 60th and South Streets

LAND AREA: Entire CUP: 4.62 acres, more or less.
Lots 11, 12, and 13: 0.30 acres, or 13,196 sq.ft., more or less

CONCLUSION: This request is consistent with the remainder of the CUP.

<u>RECOMMENDATION:</u>	Conditional Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION:

Lots 11, 12, and 13, Block 1, Knights Court Addition, located in the NW 1/4 of Section 33-10-7, Lancaster County, Nebraska

EXISTING ZONING: R-2 Residential

EXISTING LAND USE: Community Unit Plan including single-family and two-family dwellings.

SURROUNDING LAND USE AND ZONING:

North:	Single-family dwellings	R-2 Residential
South:	Single-family and two-family dwellings	R-2 Residential
East:	Single-family dwellings	R-2 Residential
West:	Single-family dwellings	R-2 Residential

HISTORY:

Dec 2002 Special Permit #1869A approved to allow Lots 1 through 10 to be either two-family or single-family dwellings.

Jul 2001 Final Plat #01002 Knights Court Addition approved for 26 lots and 1 outlot.

- Feb 2001 Special Permit #1869 Knights Court CUP approved for 25 residential lots, 1 lot for a clubhouse, and 1 outlot.
- Jan 2001 Preliminary Plat #00024 approved for 26 lots and 1 outlot.
- May 1979 During the zoning update, this property was changed from A-2 Single Family Dwelling to R-2 Residential.

COMPREHENSIVE PLAN SPECIFICATIONS:

The 2025 Comprehensive Plan identifies this area as Urban Residential.

Overall Guiding Principles for Residential

A safe residential dwelling should be available for each citizen: the efficiency apartment and the country estate, the small single family “starter” home and the large downtown apartment suite, the most affordable and the most expensive dwelling unit, completely independent living and living within the care of others. Provision of the broadest range of housing options throughout the community improves the quality of life in the whole community. (F 65)

Provide different housing types and choices, including affordable housing, throughout each neighborhood for an increasingly diverse population. (F 66)

TRAFFIC ANALYSIS:

The Comprehensive Plan identifies South Street as an Urban Minor Arterial, both now and in the future. (E 49, F 103) South Knights Lane, South Knights Place, and South 60th Street as shown within the CUP are all private roadways.

Minor Arterials: This functional class serves trips of moderate length and offers a lower level of mobility than principal arterial. This class interconnects with, and augments principal arterials, distributes traffic to smaller areas, and contains streets that place some emphasis on land access. These are characterized by moderate to heavy traffic volumes. (F 103)

ANALYSIS:

1. This is an application to reduce the setback in the west side yard of Lot 13, the east side yard of Lot 12, and the west side yard of Lot 11, from 8' to 5'.
2. The side yards on Lots 12 and 13 are non-common wall side yards for a two-family dwelling. The R-2 zoning district requires a 10' side yard setback in this instance. The currently approved CUP granted an 8' side yard setback for these two yards. Pursuant to LMC §27.65.060, any reduction of the required setback must be presented to the City Council for approval.

3. The side yard on Lot 11 is a standard side yard for a single-family dwelling. The required setback in this instance is 5'. The currently approved CUP granted an 8' side yard setback for this yard.
4. In general, all of the two-family lots within this CUP have either a 5' or 6' side yard setback. Only Lots 24 and 25 show a 10' side yard setback.

CONDITIONS:

Site Specific:

1. This approval permits the reduction of the setback in the west side yard of Lot 13, the east side yard of Lot 12, and the west side yard of Lot 11, from 8' to 5'.

General:

2. The construction plans shall comply with the approved plans.

STANDARD CONDITIONS:

3. The following conditions are applicable to all requests:
 - 3.1 Before occupying the dwelling units all development and construction shall have been completed in compliance with the approved plans.
 - 3.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
 - 3.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 3.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 3.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the applicant.

4. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Prepared by:

Greg Czaplewski
Planner

Date: May 9, 2003

Applicant: Knights of Columbus Building Association
6044 South Street
Lincoln, NE 68506
486.1580

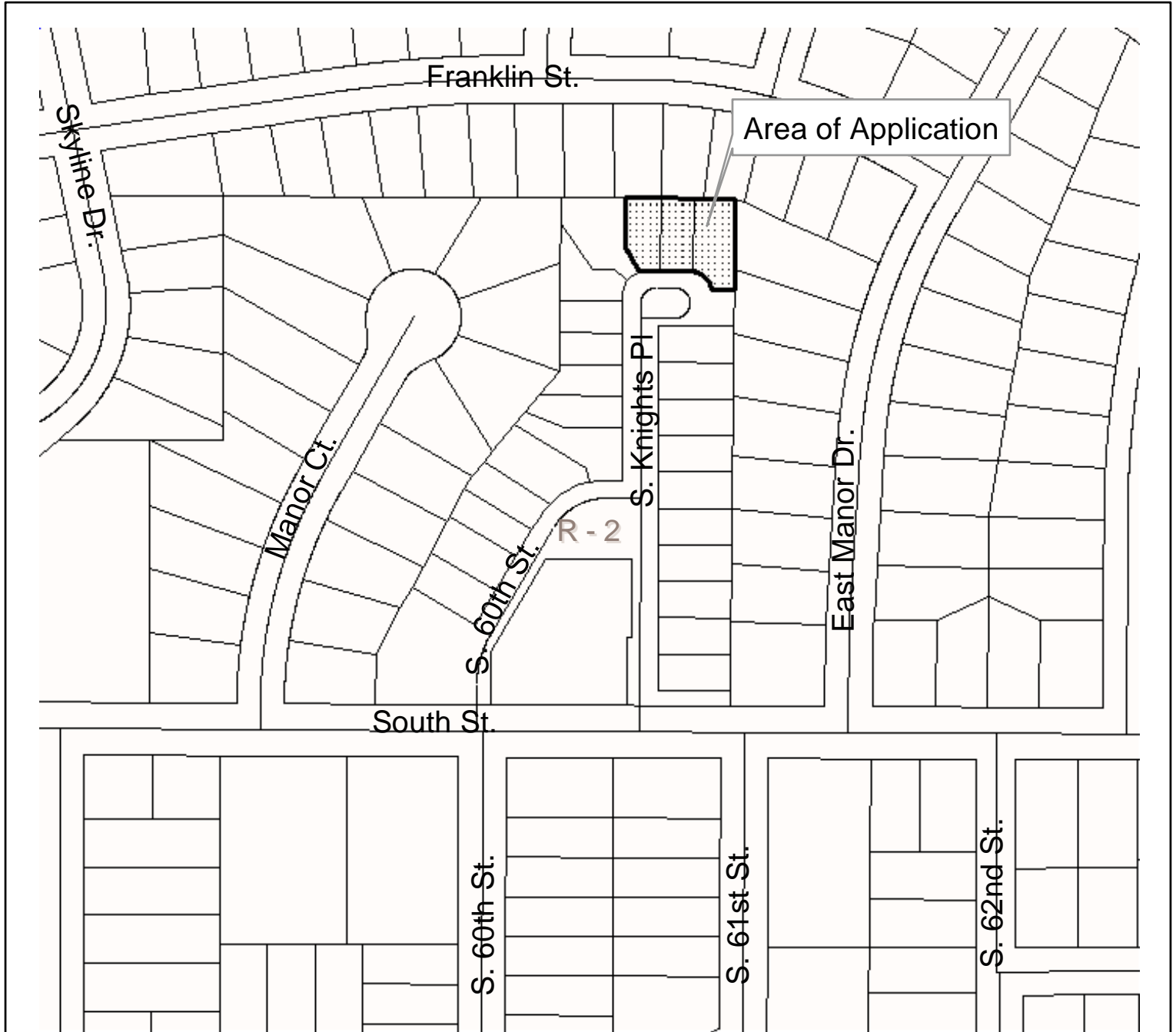
Owner: Same as Applicant

Contact: Ross Engineering, Inc.
August Ponstingl
201 No. 8th Street, Suite 401
Lincoln, NE 68508
474.7677



Special Permit #1869B
S. 60th & South St.
Knights of Columbus



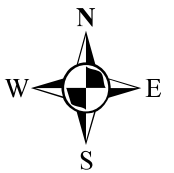
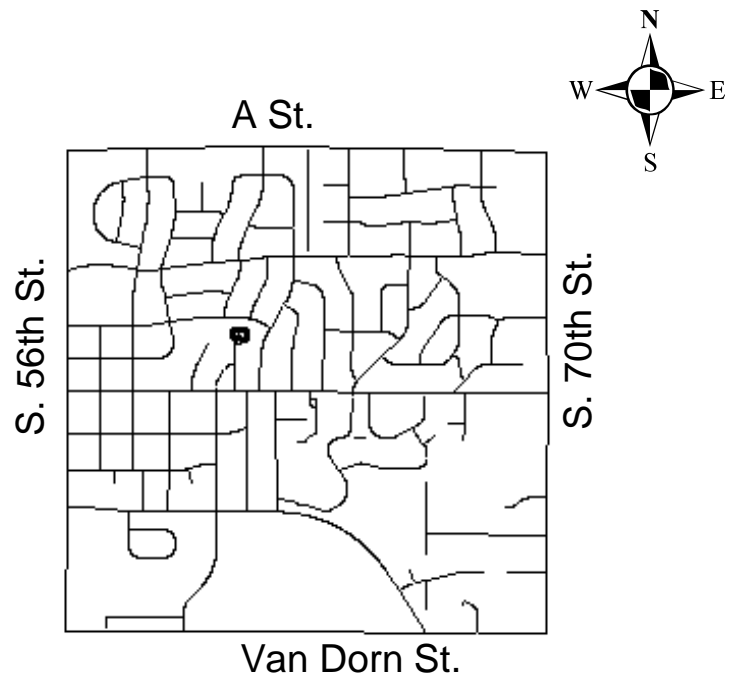
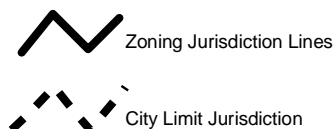


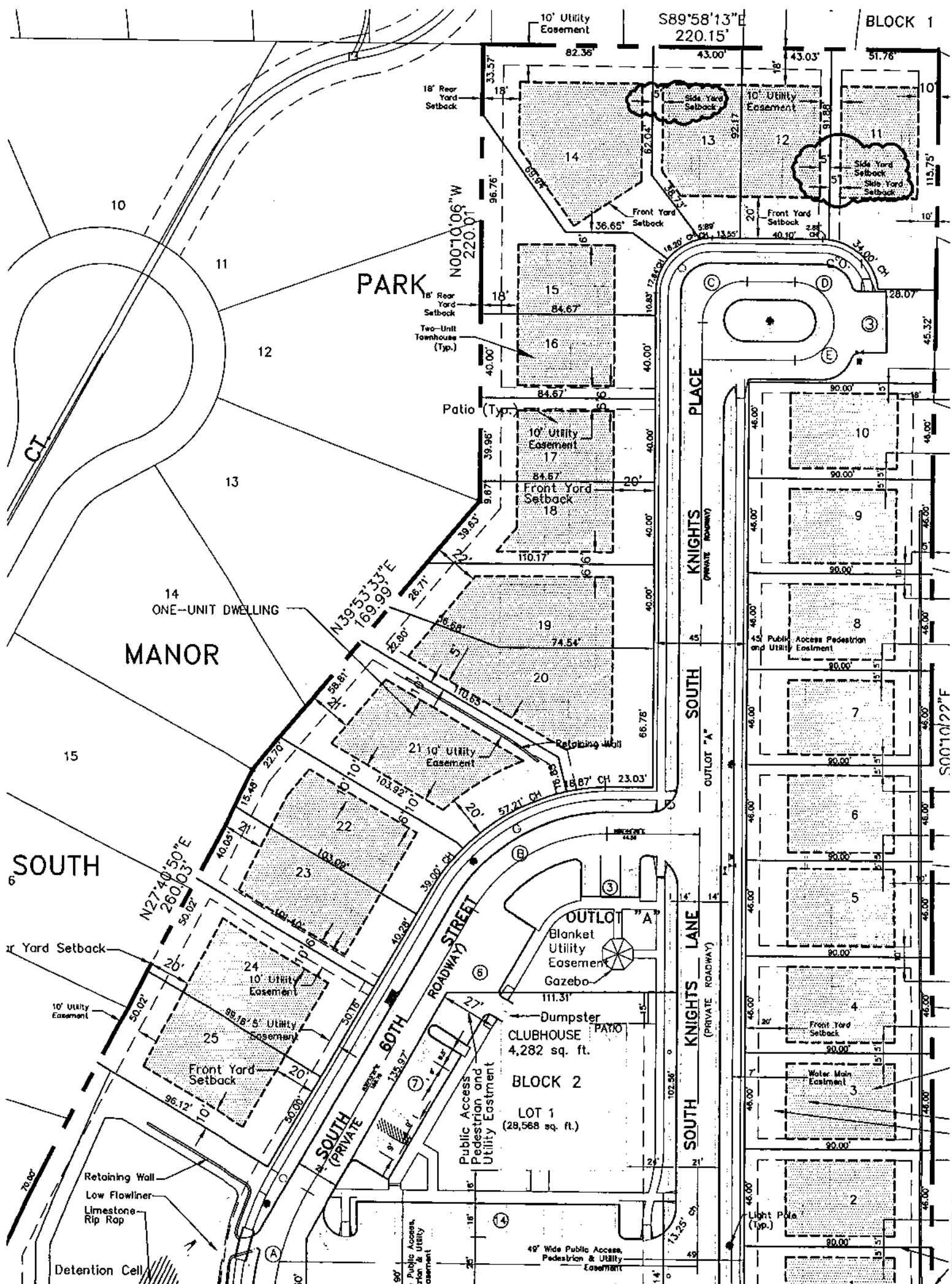
Special Permit #1869B **S. 60th & South St.** **Knights of Columbus**

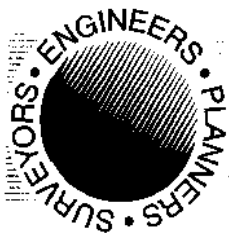
Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
 Sec. 33 T10N R7E







ROSS
Engineering.
Inc.

May 1, 2003

Marvin Krout
Planning Director
County-City Building
555 South 10th Street
Lincoln, NE 68508

RE: Knights Court: Special Permit
Change of Setbacks
61st and South Streets
REI Project No. 118801-K

ESTABLISHED

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Tomorrow*

Dear Marvin:

On behalf of the Council Building Association we are submitting a Special Permit Application for Knights Court Community Unit Plan. We are requesting the change of the setback of Lots 11, 12 & 13 at Knights Court C.U.P.. We request the side yard setback for Lot 12 & 13 of their non-common lot lines be 5-feet, and we request the side yard setback for the west lot line of Lot 11 be 5-feet. Lot 12 & 13 will have a duplex, and Lot 11 will have a single family home, as shown on the approved CUP. We are requesting this change due to the need for additional square footage per home. There are currently approved side yard setback widths of 5-feet for duplexes within this CUP. Additionally, the zoning only requires a 5-foot side yard setback.

We are not changing anything on the Grading, Drainage, or Landscape Plans. We are confident this is a positive change for the neighborhood, and the Planning Department has expressed general approval of this change. We appreciate your consideration.


Included with this submittal are the following:

- | | | |
|----|--------------------------------|-----------|
| 1. | Site Plan | 21 copies |
| 2. | Application for Special Permit | |
| 3. | \$585.00 check | |

If you have any questions or comments please, give me a call.

Sincerely,

ROSS ENGINEERING, INC.


August J. Ponstingl
Senior Land Planner

The Candy Factory
201 North 8th Street
Suite 401
Lincoln, NE 68508
Phone 402.474.7677
Fax 402.474.7678

Cc: Dean Graham

Enclosure

AJP
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